

Serial No. 09/467,712

**REMARKS**

Upon entry of this Response, Claims 1-3, 5-30, 33-58, 63-68 remain pending in this application. Claims 33, 63, and 66 have been amended.

The Examiner is respectfully requested to consider the application in view of the amendments and remarks set forth herein.

**I. CLAIM OBJECTIONS**

In the Office Action, Claim 33 was objected to as depending from a cancelled claim. Applicant has amended the dependency of Claim 33 to overcome the objection.

**II. CLAIM REJECTIONS*****Under 35 U.S.C. § 102(e)***

In the Office Action, Claims 63-68 were rejected under U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,484,027 to Mauney (hereinafter "*Mauney*"). Independent Claims 63 and 66 have been amended. Applicant respectfully requests that the amendments be entered, and a notice of allowance issued for each of the pending claims of the present application.

Amended claim 63 recites the feature of "initiating a transfer of incoming calls intended for the first telephone from the first telephone to the second telephone the initiation being made automatically in response to the proximity". Applicant respectfully submits that *Mauney* does not disclose at least this feature of Claim 63.

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Amended claim 66 recites the feature of "a call transfer mechanism for automatically transferring incoming telephone calls intended for the first telephone from the first telephone to the second telephone in response to proximity of the first telephone to the second telephone, the proximity of the first telephone to the second telephone being determined through communications between the first and second telephones using the short-range transceivers". Applicant respectfully submits that *Mauney* does not disclose at least this feature of Claim 63.

In this regard, *Mauney* shows wireless handsets having direct handset to handset communication capabilities. Where forwarding is discussed in *Mauney*, however, it is apparent that *Mauney* does not disclose each of the features of Claims 63 and 66.

For example, starting on column 69, line 43 continuing on to column 94, line 54, *Mauney* describes a series of methods that require manual user interaction and mention the forwarding of calls as a possible outcome of a communication attempt from one handset to another. References to any forwarding action in these methods described in *Mauney* deal with a second handset forwarding a call request (from a first handset to second handset) to a voicemail, a third handset, or a third telephone number.

For examples of *Mauney's* discussion of forwarding actions see:

Column 69, line 43

Column 70, line 6

Column 70, line 28

Column 71, line 15

Column 77, line 65

Column 79, line 10

Column 79, line 20

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Column 82, line 59

Column 83, line 8

Column 83, line 59

Column 89, line 50

Column 93, line 32

Column 93, line 48

Column 94, line 53

In general, the methods of *Mauney* involve a call request being made at a first handset to a communicate with a second handset. Based on whether a response at the second handset indicates that the request has been accepted or rejected the call can be accepted at the second handset, forwarded to a voicemail system, to a different handset, or to a difference location. (See, for example, the paragraph on Column 94, lines 38-54.) *Mauney*, therefore, does not describe automatically forwarding incoming calls intended for a first handset to a second handset in response to the proximity of the first handset to the second handset.

Applicant respectfully submits that Claims 63 and 66 are allowable over *Mauney*, and requests that the rejections be withdrawn. Claims 64 and 65 depend from Claim 63 and are allowable for at least the same reasons as Claim 63. Claims 67 and 68 depend from Claim 66 and are allowable for at least the same reasons as Claim 66. Applicant respectfully requests that the rejections of these claims be withdrawn.

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### III. ALLOWABLE SUBJECT MATTER

In the Office Action, Claims 1-3, 5, 7, 8, 11-30, and 33-58 were allowed. Applicant thanks the Examiner for his thorough review of the application and the resultant finding of allowable subject matter.

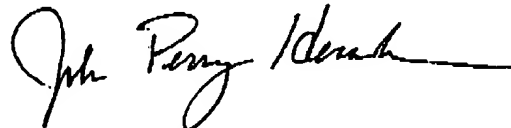
### IV. CONCLUSION

We respectfully request allowance of the claims pending in this case.

Applicant does not believe that additional fees are due. If, however, any such a fee is required, Applicant authorizes for such a fee to be charged to its deposit account 50-3447.

Should the Examiner believe that a telephone conference would be useful, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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